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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/654,300

09/03/2003

Grant Mohr

MS1-1625US

4461

22801 7590 02/05/2010

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EXAMINER

LONSBERRY, HUNTER B

ART UNIT

PAPER NUMBER

2421

NOTIFICATION DATE

DELIVERY MODE

02/05/2010

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

lhptoms@leehayes.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/654,300	<b>Applicant(s)</b> MOHR ET AL.	
	<b>Examiner</b> Hunter B. Lonsberry	<b>Art Unit</b> 2421	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10/16/09.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12,31-38 and 51-54 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12,31-38 and 51-54 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                        | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-12, 31-38 and 51-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over 5,576,755 to Davis in view of US 5,111,398 to Nunberg.

Regarding claim 1, Davis discloses a method comprising:

Applying a number of rules to check for proper sizing of text within an EPG cell, checking against a language database for inappropriate or missing language and makes corrections prior to the data being output (column 5, line 41-column 7, line 35, figures 2-4).

Davis is silent regarding utilizing a spacing and capitalization rule.

Nunberg discloses a parsing method (figure 10) which analyzes text for grammar, spelling, capitalization and spacing errors utilizing a number of rules. Documents are parsed and analyzed for punctuation structure (column 14, lines 1-67). A number of codes are assigned to the text data structure (column 16, lines 15-25), including space codes and carriage control codes. When an error is found, the error is presented to the user (figure 10, lines 24-45). Likewise the operations may be

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performed automatically so that the correct number of spaces is inserted between words or sentences, each sentence automatically begins with a capital letter even if a previously capitalized word is deleted, like wise parenthesis and quotation marks may be checked so that there is always a matching set at the beginning and end of each set of terms. (column 26, line 60-column 27, line 33, column 28, lines 25-55), thus ensuring that there are fewer grammatical, spacing and capitalization errors and providing a more aesthetically pleasing experience for the user.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Davis EPG error checking features to include the spacing and capitalization features as taught by Nunberg for the above mentioned advantages.

Regarding claim 2, Nunberg, in combination with Davis is relied upon to teach each said capitalization rule specifies capitalizing a first character included in the obtained word based upon a condition selected from the group consisting of:

if said word encoding value that references the obtained word in the compressed EPG data immediately follows one said character encoding value in the compressed EPG data that indicates an end of a sentence or an end of a previous data string (column 26, line 60-column 27, line 33, column 28, lines 25-55); and

if said word encoding value that references the obtained word in the compressed EPG data is ordered as a first encoding value in a compressed data string included in

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the compressed EPG data (column 26, line 60-column 27, line 33, column 28, lines 25-55).

Regarding claim 3, Nunberg discloses a spacing rule which adjusts for spacing between words and checks punctuation to ensure that proper spacing is effected after the punctuation.

Nunberg does not specifically recite that a single space is inserted between two words, if a character references a letter or number a space is inserted before or after the character.

The Examiner takes official notice that automatic spacing which places spaces between characters that reference a letter or number is well known in the art. Automatic parsing systems which check these character values and insert spaces provide an aesthetically pleasing experience and increases readability and reduces confusion for the reader.

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to modify Davis and Number to utilize spacing adjustment before or after characters that reference other letter or numbers for the above mentioned advantages.

Regarding claim 4, Nunberg discloses the use of a processor and memory which performs the modifications (column 6, lines 18-45) on a computer (figure 4).

Claims 5-12 substantially correspond to claims 1-4 as addressed above.

Claims 31-38 and 51-54 substantially correspond to claims 1-4 as addressed above. Davis also discloses a number of STBs in the system (column 2).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hunter B. Lonsberry whose telephone number is (571)272-7298. The examiner can normally be reached on Monday-Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hunter B. Lonsberry/  
Primary Examiner  
Art Unit 2421

HBL